



Atty. Dkt. No. 028622-0125

RCE
IFW
a.c.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Horst HEIRLER

Title: USE OF MEDIUM-CHAIN TRIGLYCERIDES (MCT) FOR
OPTIMISATION AS TO NUTRITION PHYSIOLOGY OF THE
FATTY ACID SPECTRUM IN A DIETARY FOODSTUFF FOR
DIABETICS

Appl. No.: 10/717,990

Appl. Filing Date: 11/21/2003

Examiner: Leslie A. ROYDS

Art Unit: 1614

Confirmation No. 8166

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of a civil action under 35 U.S.C. § 145 or § 146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. § 1.114: (check items that apply)

a. Previously submitted:

11/12/2008 JADD01 00000068 10717990

01 PC:2001
02 FC:2252

405.00 OP
245.00 OP

☐ Please consider the arguments in the Appeal Brief or Reply previously filed on __.

☐ Other __.

b. Enclosed are:

☒ Submission Under 37 R.C.E. § 1.114(c), (10 pp).

☐ Affidavit(s)/Declaration(s).

☐ Other .

Miscellaneous:

☐ Suspension of action of the above-identified application is requested under 37
C.F.R. § 1.103(c) for a period of __ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$810.00	= \$810.00
Total Claims:	19	-	20 = 0	x \$52.00	= \$0.00
Independents	1	-	3 = 0	x \$220.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$390.00	= \$0.00
CLAIMS FEE TOTAL:					= \$810.00

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

[]	Extension for response filed within the first month:	\$130.00	0	\$0.00
[X]	Extension for response filed within the second month:	\$490.00		\$490.00
[]	Extension for response filed within the third month:	\$1,110.00		\$0.00
[]	Extension for response filed within the fourth month:	\$1,730.00		\$0.00
[]	Extension for response filed within the fifth month:	\$2,350.00		\$0.00
	EXTENSION FEE SUBTOTAL:			\$490.00
	EXTENSION FEE ALREADY PAID: -			\$0.00
	EXTENSION FEE TOTAL			\$490.00
	CLAIMS AND EXTENSION FEE TOTAL:			\$1300.00
[X]	Small Entity Fees Apply (subtract ½ of above):			\$650.00
[]	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
	TOTAL FEE:			\$650.00

A credit card payment form in the amount of \$650.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date November 10, 2008

By Richard C. Peet

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5483
Facsimile: (202) 672-5399

Richard C. Peet
Attorney for Applicant
Registration No. 35,792